

# HOUSE BILL No. 1417

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-2.1-19.1-21; IC 34-6-2.1; IC 34-11-10; IC 34-12-4; IC 34-51-1-4.

**Synopsis:** Causes of action and damages. Prohibits a cause of action against a transportation network company (TNC) on a claim that arises from a TNC rider being injured by a TNC driver or during a TNC ride. Limits a civil cause of action concerning a public nuisance. Prohibits certain causes of action against a property owner, a business owner, or a third party business operator for a criminal act committed by another person: (1) on the property; (2) at the business; or (3) on a premises; owned by another person. Provides that noneconomic damages awarded in a civil suit may not be more than \$1,000,000.

**Effective:** July 1, 2026.

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## Lehman, Snow, Pressel

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January 8, 2026, read first time and referred to Committee on Judiciary.

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Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

## HOUSE BILL No. 1417

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 8-2.1-19.1-21 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2026]: **Sec. 21. A TNC rider may not:**  
4       **(1) maintain a cause of action against; or**  
5       **(2) receive an award of damages from;**  
6 **a TNC on a claim that arises from the TNC rider being injured by**  
7 **a TNC driver or during a TNC ride.**  
8       SECTION 2. IC 34-6-2.1-59.5 IS ADDED TO THE INDIANA  
9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
10 [EFFECTIVE JULY 1, 2026]: **Sec. 59.5. "Established public right",**  
11 **for purposes of IC 34-11-10, has the meaning set forth in**  
12 **IC 34-11-10-1.**  
13       SECTION 3. IC 34-6-2.1-132, AS ADDED BY P.L.186-2025,  
14 SECTION 176, IS AMENDED TO READ AS FOLLOWS  
15 [EFFECTIVE JULY 1, 2026]: Sec. 132. "Noneconomic damages", for  
16 purposes of IC 34-30-29.2 **and IC 34-51-1-4**, has the meaning set forth  
17 in IC 34-30-29.2-2.



SECTION 4. IC 34-6-2.1-174.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 174.5. "Public nuisance", for purposes of IC 34-11-10, has the meaning set forth in IC 34-11-10-1.**

SECTION 5. IC 34-6-2.1-207.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 207.5. "Unlawful condition", for purposes of IC 34-11-10, has the meaning set forth in IC 34-11-10-1.**

SECTION 6. IC 34-11-10 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

**Chapter 10. Limitations on a Public Nuisance Action**

**Sec. 1. The following definitions apply throughout this chapter:**

- (1) "Established public right" means a right, commonly held by all members of the public, to the use of public land, air, or water.
- (2) "Public nuisance" means an ongoing and unlawful condition that proximately causes an interference with an established public right.
- (3) "Unlawful condition" means a circumstance that is expressly prohibited by state or federal law.

**Sec. 2. For purposes of this chapter, the following are not a public nuisance:**

- (1) An action or condition that is expressly permitted by:
  - (A) a local ordinance;
  - (B) state or federal law; or
  - (C) a court order.
- (2) The distribution or manufacturing of a product, unless the act of distribution or manufacturing the product creates a public nuisance.

**Sec. 3. (a) A public nuisance cause of action is available to a governmental entity if the unlawful condition is occurring within the jurisdiction of the governmental entity.**

**(b) Unless otherwise set forth in statute, a governmental entity may only bring a civil action concerning a public nuisance to seek prospective injunctive relief for abatement of the public nuisance.**

**(c) A governmental entity may not recover economic, noneconomic, or exemplary damages or costs associated with a potential future harm.**

**(d) A financial expenditure made by a governmental entity**



related to an:

- (1) injunction concerning an unlawful condition; or
- (2) effort to remediate an unlawful condition;

does not establish a public nuisance cause of action.

**Sec. 4. (a)** A private person may only bring a public nuisance cause of action if an injury suffered by the private person is:

- (1) proximately caused by the ongoing, unlawful condition; and
- (2) materially different from an injury suffered by another private person who has already filed a civil action related to the same public nuisance.

**(b)** A private person may seek the following in a cause of action brought under this section:

- (1) Prospective injunctive relief for abatement of the public nuisance.
- (2) Compensatory damages.

**(c)** Interference with the personal, spiritual, cultural, or emotional use of public land, air, or water cannot by itself establish a public nuisance cause of action under this section.

**(d)** A financial expenditure made by a private person related to an:

- (1) injunction concerning an unlawful condition; or
- (2) effort to remediate an unlawful condition;

does not establish a public nuisance cause of action.

**(e)** The aggregation of:

- (1) multiple injuries; or
- (2) private nuisances;

that are not considered a public nuisance individually do not constitute a public nuisance.

**Sec. 5.** Unless otherwise set forth in statute, it is an affirmative defense to a cause of action brought under this chapter that the defendant does not have actual control over the source of the alleged public nuisance.

**Sec. 6.** This chapter applies to a cause of action filed on or after July 1, 2026.

SECTION 7. IC 34-12-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

**Chapter 4. Prohibited Legal Action Involving Crimes on Private Property**

**Sec. 1.** This chapter does not apply to a criminal act committed by an employee or an agent of a:



- (1) person who owns or has an interest in land;
- (2) person who owns or operates a business;
- (3) third party business operator; or
- (4) property manager.

**Sec. 2. (a) A person may not bring or maintain an action against**  
**a:**

- (1) person who owns property for a criminal act committed by another person on the property;
- (2) person who owns a business for a criminal act committed by another person at the business; or
- (3) third party business operator who conducts business on any premises owned by another person for a criminal act committed by another person on premises owned by another person.

**(b) A person may not bring or maintain an action described in subsection (a) if the person was the individual who committed the criminal act.**

SECTION 8. IC 34-51-1-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 4. (a) As used in this section, "noneconomic damages" has the meaning set forth in IC 34-30-29.2-2.**

**(b) A plaintiff may not recover noneconomic damages of more than one million dollars (\$1,000,000).**

**(c) A judge or jury must make a finding as to the following:**

- (1) Noneconomic damages without considering the limitation described in subsection (b).
- (2) The percentage of fault of the claimant, of any defendant, and of any person who is a nonparty.

**The court shall then multiply the percentage of fault assigned to each defendant by the amount of noneconomic damages found.**

**(d) The court shall award the plaintiff noneconomic damages in the amount calculated under subsection (c). If the amount calculated is more than one million dollars (\$1,000,000), then the court shall reduce the noneconomic damages to one million dollars (\$1,000,000). If there is more than one (1) defendant, the court shall reduce the damages proportionally based upon the findings under subsection (c)(2) as to each defendant.**

